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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the Patent Application of : Initial Patent Examination  
: Division  
Keiji Matsumoto et al. :  
:   
Serial No.: 09/996,836 : Date: November 5, 2002  
Confirmation No. 2578 :  
:   
Filed: November 29, 2001 : Docket No.: YOR920000819US2

For: THREE LEVEL STACKED REFLECTIVE DISPLAY

Response to Notice to File  
Omitted Item(s) in a Nonprovisional Application

To: Commissioner for Patents  
Initial Patent Examination Division  
Washington, D.C. 20231

Sir:

In response to the Notice to File Omitted Item(s) in a Nonprovisional Application issued August 5, 2002. Enclosed is substitute sheet 22 containing renumbered Figure 10F in place of Figure 10EE.

Also enclosed is substitute sheet 23 containing renumbered Figure 10G and in place of Figure 10F.

A copy of the "Notice to File Omitted Item(s) in a Nonprovisional Application" is attached as per your instructions.

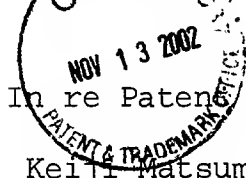
Respectfully submitted,  
Attorney for the Applicants

by Robert M. Trepp  
Attorney: Robert M. Trepp  
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IBM Thomas J. Watson Research Center  
Intellectual Property Law Department  
P.O. Box 218  
Yorktown Heights, N.Y. 10598

Attorney Docket: YOR920000819US2

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of : Initial Patent Examination  
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that the attached correspondence comprising:

- 1. Acknowledgment Post Card;
- 2. Petition and Fee for One Month Extension of time;
- 3. Response to Notice to File Omitted Item(s) in a Nonprovisional Application with 2 Substitute Formal Drawing (sheets 22 and 23 of 25 attached; and
- 4. Copy of Notice to File Omitted Item(s) in a Nonprovisional Application

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Initial Patent Examination Division  
Washington, DC 20231

on November 5, 2002

Michelle Parra  
(Print name of person certifying)

Michelle Parra  
(Signature of person certifying)

Docket YOR920000819US2



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/996,836	11/29/2001	Keiji Matsumoto	YOR920000819US2

RMT

IBM CORPORATION  
INTELLECTUAL PROPERTY LAW DEPT.  
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CONFIRMATION NO. 2578

FORMALITIES LETTER



\*OC000000008575482\*

Date Mailed: 08/05/2002

Due 10/5/02

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **10G** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

2001  
OCT 11 2001  
IBM  
PROPERTY

***A copy of this notice MUST be returned with the reply.***

Ly. Seyoum

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

1. *Staphylococcus aureus* (Staph. aureus) is a common cause of skin infections, such as boils and abscesses. It is also a leading cause of hospital-acquired infections, including pneumonia and bloodstream infections.